

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Certain irregular approval of Layout Plan in the area of VUDA - Departmental action against Sri M.Suryanarayana, (Retired) Panchayat Secretary, Thotapalem Village, Etcherla Mandal, Srikakulam District under Rule 20 of the Andhra Pradesh Civil Services (Clarification, Control and Appeal) Rules, read with rule 9 of A.P.Revised Pension Rules, 1980 – Article of Charges –Issued.

PANCHYAT RAJ AND RURAL DEVELOPMENT (VIG.III) DEPARTMENT

G.O.Rt.No.189

Dated:23.02.2015.
Read the following:

1. From the GA(V&E) Department Vigilance Report No.30
(C.No.719/V&E/D1/2014), dt.14.11.2014.
- 2.G.O.Ms.No.18, PR&RD (Vig.III) Dept., dt.23.02.2015.

ORDER:

In pursuance of the sanction accorded by the Government under Sub-Clause (i) of clause (b) of sub-rule (2) of Rule 9 of the A.P. Revised Pension Rules, 1980, for instituting departmental proceedings against Sri M. Suryanarayana, (Retired) Panchayat Secretary, Thotapalem Village, Etcherla Mandal, Srikakulam vide G.O.2nd read above, it is proposed to hold an inquiry against the said Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991. The enquiry shall be conducted by the Government.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A list of documents by which, a list of witnesses by whom, and a list of documents by which, the articles of charges are proposed to be sustained are also enclosed (Annexure II & III). copies of documents are furnished herewith.

3. Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam, now retired is directed to submit her written statement of defense within (10) days from the date of receipt of this order.

4. Sri M.Suryanarayana, (Retired) Panchayat Secretary, Thotapalem Village, Etcherla Mandal, Srikakulam now retired from service is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam, is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, and further action will be processed based on the material available with Government.

(P.T.O)

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6. The receipt of this orders shall be acknowledge along with Annexure-I, II, III forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

To

Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram
Panchayat, Srikakulam **through** the Commissioner, Panchayat Raj & Rural
Employment, A.P.

Hyderabad

The Commissioner, Panchayat Raj & Rural Employment, Hyderabad
(2 Copies) (With a request to serve Original Notice on the charged
Officer with dated signature and send the same for record).

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

-Contd-

Annexure-I

STATEMENT OF ARTICLE OF CHARGE BE FRAMED AGAINST SRI M.SURYANARAYANA, (RETIRED) PANCHAYAT SECRETARY, ETCHERLA GRAM PANCHAYAT, SRIKAKULAM.

ARTICLE-I:

That Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam while working as Panchayat Secretary, Thotapalem Village, Etcherla Mandal has certain irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body, also failure to get the 10% of open space registered to Gram Panchayat with fees payable of Etcherla Gram Panchayat Srikakulam District. The above acts of the MPDO are in violation of Rule 3 of APCS (Conduct) Rules, 1964

Basis of the Charge:I

On receipt Sri Udyoga Swagruha, Thotla palem Village, Etcherla Mandal of Srikakulam District formed in 12.47 Acres in parts of S.Nos.270,271,272,273 of Thotapalem Village has been converted into non-agricultural purpose and found that the owners of the layouts have not paid layout approval fees and not handed over the 10% of open space to concerned Gram Panchayats in Srikakulam District, the V&E Department has took up enquiry.

During the course of enquiry the V&E officials along with Panchayat Secretary, Etcherla of Srikakulam District have jointly visited the Land in Sy.No.270,271,272,273 of Thotapalem Village of Etcherla Mandal and enquired about the information of layout and payments made to the Government as well as permissions obtained from the concerned competent authority. During the enquiry, the Vigilance & Enforcement officers of this Unit have noticed the illegal formation of Layout in 12.47 Acres by the land owners in the name of Sri Udyoga Swagruha, Thotapalem Village, Etcherla Mandal which was registered under Societies Act Vide No.213 of 2010 issued by the District Registrar, Srikakulam without proper approval of Layout by the Competent Authority.

ARTICLE –II.

That Sri M.Suryanarayana, (Retired) Panchayat Secretary, Etcherla Gram Panchayat, Srikakulam while working as Panchayat Secretary, Thotapalem Village, Etcherla Mandal has caused lost to Govt. to tune of Rs.84,62,672/- to Etcherla Gram Panchayat, Etcherla Mandal, Srikakulam Dist. violating the Govt. orders issued in G.O.Ms.No.67, PR&RD Deptt. dt. 22.02.2006 certain irregular approval of Layout Plan in the area of VUDA, violating the rules and failure to guide the Local Body, also failure to get the 10% of open space registered to Gram Panchayat with fees payable of Etcherla Gram Panchayat Srikakulam District. The above acts of the MPDO are in violation of Rule 3 of APCS (Conduct) Rules, 1964.

Basis of Charge .II.

As per the investigation report of V&E the owners of layout have obtained permission from the Etcherla Gram Panchayat, vide Resolution No.199, dt.24.03.2011, but no approval of VUDA was obtained so far. As per the Government Orders in G.O.Ms.No.67, PR&RD(Pts.IV) Dept., dt.26.02.2002 the 10% of Reserve site not registering to the Thotapalem Gram Panchayat as gift deed so far, and the President of the Layout has also accepted the fact for not registered the open space 10% land as Gift deed in favor of the Etcherla Panchayat. Further it is stated that the Etcherla Panchayat has approved the plan for formation of Layout though the area of operation of the Village covered under the VUDA.

(P.T.O)

The layout Fee, Security Deposit and non-handing over 10% of the land from the Layouts as common site to the concerned Gram Panchayats specified has been calculated as her under

S.No	Name of the Gram Panchayat & Mandal	Extent of Layout	Market Value as per Registration Dept.	Cost of 10% land as common site	Layout fee to be payable to Gram Panchayats	Security Deposit to the payable to Gram Panchayats	Total
1	Thotapalem Village of Etcherla Mandal	12.47A cres	@ Rs.1400/- per Sq. yards of Rs.8,44,96,720/-	84,49,672/-	3,000/-	10,000/-	84,62,672/-

The Layout Owners i.e., Sri Udoyaga Sawgruha, Thotapalem Village in Sy.no.272,271,272,273 & 274 of thotapalem Gram Panchayat have irregularly developed the Layout and evaded to pay Rs.3,000/- towards Layout fee Rs.10,000/- towards security Deposit, and Rs.84,49,672/- by means of cost of 10% open site, totaling to Rs.84,62,672/- to the Etcherla Gram Panchayat, Etcehrla Mandal of Srikakulam District violating the Government orders in G.O.Ms.no.67, PR&RD(Pts.IV) Dept., dt.26.02.2002.

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE-II

LIST OF DOCUMENTS BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI M.SURYANARAYANA, (RETIRED) PANCHAYAT SECRETARY, ETCHERLA GRAM PANCHAYAT, SRIKAKULAM DISTRICT OARE TO BE SUSTAINED

From the GA(V&E) Department Vigilance Report No.30
(C.No.719/V&E/D1/2014), dt.14.11.2014.

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI M.SURYANARAYANA, (RETIRED) PANCHAYAT SECRETARY, ETCHERLA GRAM PANCHAYAT, SRIKAKULAM ARE TO BE SUSTAINED

1. MPDO. concerned.
2. Land owners in the name of Sri Udyoga Swagruha, Thotapalem Village, Etcherla Mandal.

Dr.K.S.JAWAHAR REDDY,
SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER